

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOHN HEYKOOP doing business as  
EAGLE TOWING,

Plaintiff,

v

MICHIGAN STATE POLICE, DAVID  
ROESLER, JEFFREY WHITE, and  
CHRIS McINTIRE,

Defendants.

NO. 1:18-cv-00632

HON. ROBERT J. JONKER

MAG. PHILLIP J. GREEN

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**DEFENDANTS' MOTION TO DISMISS**

Defendants Michigan State Police, David Roesler, Jeffrey White, and Chris McIntire, through the undersigned attorney, bring this motion under Fed. R. Civ. P. 12(b)(6), based on the grounds set forth in Defendants' accompanying brief.

In compliance with Local Civil Rule 7.1(d) of the U.S. District Court for the Western District of Michigan, concurrence in the relief requested was sought from counsel for Plaintiff on July 11, 2018. Counsel for Plaintiff indicated he is opposed to the relief requested.

Defendants respectfully request that this Court grant their motion, and that Plaintiff's Complaint be dismissed.

Respectfully submitted,

Bill Schuette  
Attorney General

s/Patrick S. Myers  
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Dated: July 11, 2018

**CERTIFICATE OF SERVICE**

I hereby certify that on July 11, 2018, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing of the foregoing document as well as via US Mail to all non-ECF participants.

s/Patrick S. Myers  
Patrick S. Myers  
Assistant Attorney General  
Attorney for Defendants